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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/757,955	01/14/2004	Sang-Yoon Jung	678-1206 (P10945)	5078
28249 7590 01/10/2007 DILWORTH & BARRESE, LLP 333 EARLE OVINGTON BLVD. UNIONDALE, NY 11553			EXAMINER TRAN, DALENA	
			ART UNIT 3661	PAPER NUMBER

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/10/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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10.757-955

EXAMINER
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ART UNIT	PAPER
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20070104

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

**Office Action Summary**

Application No.

10/757,955

Applicant(s)

JUNG ET AL.

Examiner

Dalena Tran

Art Unit

3661

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 14 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>9/30/04, 4/13/06</u> . | 6) <input type="checkbox"/> Other: _____  |

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## DETAILED ACTION

### Notice to Applicant(s)

1. This application has been examined. Claims 1-23 are pending.

The prior art submitted on 9/30/04, and 4/13/06 have been considered.

In claim 1, last line, a period after "warning" should be deleted, and a period should added after "unit".

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1, 4-6, 8-9, 12, 15-16, 19-21, and 23, are rejected under 35 U.S.C. 102(b) as being anticipated by Kinoshita et al. (5757949).

As per claims 1, and 15-16, Kinoshita et al. disclose a warning generating apparatus for generating a warning in a navigation system, the apparatus comprising: a data receiving unit for receiving route guidance information data and outputting the route guidance information data; a data analyzing unit for determining whether warning data has been included in the route guidance information data outputted from the data receiving unit or not (see columns 2-3, lines 42-8; and columns 4-5, lines 10-15); a sensor for sensing a current travel speed of a movable body (see column 5, lines 15-37); a restricted warning generating unit for receiving the route guidance information data from the data analyzing unit if the route guidance information data includes the warning data, for receiving the current travel speed from the sensor, and for determining whether the

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restricted warning generating unit will output a warning for the warning data based on warning generation conditions stored in advance according to a kind of the warning data (see columns 5-6, lines 38-47; and column 7, lines 8-34); and a warning/guidance output unit for outputting the warning corresponding to the warning data that is included in road guidance information data, when the restricted warning generating unit determines to output the warning unit (see columns 6-7, lines 48-7).

As per claims 4, and 19, Kinoshita et al. disclose the data receiving unit receives the route guidance information data which further includes a regulation speed and road information representing danger information (see columns 5-6, lines 38-47).

As per claims 5-6, and 20-21, Kinoshita et al. disclose the sensor further includes a speed sensor which is installed on a predetermined position of the movable body and which senses the travel speed of the movable body, and the sensor receives the travel speed of the movable body from a speed sensor which is installed on a predetermined position of the movable body and which senses the travel speed of the movable body (see columns 4-5, lines 10-15).

As per claims 8, and 23, Kinoshita et al. disclose when the route guidance information data does not include warning data when the route guidance information data is transmitted from the data analyzing unit, the warning/guidance output unit general path guidance information based on the route guidance information data (see columns 5-6, lines 38-47).

Claims 9, and 12, are method claims corresponding to apparatus claims 1, and 4 above. Therefore, they are rejected for the same rationales set forth as above.

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 2-3, 7, 10-11, 13-14, 17-18, and 22, are rejected under 35 U.S.C.103(a) as being unpatentable over Kinoshita et al. (5757949) in view of Straub (6675085).

As per claims 2-3, and 17-18, Kinoshita et al. do not disclose current weather information, and current time information. However, Straub discloses the data receiving section receives route guidance information data further includes current weather information and, current time information (see columns 3-4, lines 24-24). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teach of Kinoshita et al. by combining route guidance information data further includes current weather information, and current time information to assist the user in adjusting a driving speed on a route to satisfy a limit speed and assure vehicle safety.

As per claims 7, and 22, Straub also discloses the restricted warning generating unit further determines actual travel environment information of the movable body, checks the kind of the warning data transmitted from the data analyzing unit (see columns 5-6, lines 11-14), receives route guidance information data having current time/weather information from the data receiving unit and receives the current travel speed of the movable body from the sensor (see columns 3-4, lines 24-24), compares warning generation conditions corresponding to the checked kind of the warning data with the actual travel environment information (see columns 6-7, lines 15-9), determines to output

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a warning only when the actual travel environment information satisfies the warning generation conditions corresponding to the warning data, and outputs the warning information to the warning/guidance output unit if it is determined to output a warning (see columns 2-3, lines 44-17).

Claims 10-11, and 13-14, are method claims corresponding to apparatus claims 2-3, and 7 above. Therefore, they are rejected for the same rationales set forth as above.

### **Conclusion**

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

- . Matsuda et al. (6285923)
- . Takahashi et al. (6424904)
- . Yasushi et al. (6870478)

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dalena Tran whose telephone number is 571-272-6968. The examiner can normally be reached on M-F 6:30 AM-4:00 PM), off every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Black can be reached on 571-272-6956. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Patent Examiner  
Dalena Tran

A handwritten signature in black ink, appearing to read 'Dalena Tran', followed by a horizontal line.

January 4, 2007